

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Bail Appl..No. 7515 of 2007()

CRIME NO.464/07 OF KOTTAKKAL POLICE STATION
.....

PETITIONERS/ACCUSED NOS.1 TO 3

- 1. MUTHUKUMAR, S/O. RAMABOYAN,
AGED 27, ARUN NAGAR, THODIYANNUR, KOIMBATORE,
TAMIL NADU.**
- 2. PAZHANI, S/O. MAYANDI,
AGED 40, PULAKATHEVAR THERU, KAMBAM,
THENI DIST., TAMIL NADU.**
- 3. SELVAN, S/O. RASU, AGED 27 YEARS,
DOOR NO.72, ANDIPPETTY LOADING WORK, THENI DIST.,
TAMIL NADU.**

BY ADV. SRI.P.NARAYANAN

RESPONDENTS:

**STATION HOUSE OFFICER,
KOTTAKKAL POLICE STATION, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07/12/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

R.BASANT, J.

B.A.No.7515 of 2007

Dated this the 7th day of December 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 20(b) of the NDPS Act. They were allegedly found to be in possession of 31.150 kgs of ganja on 26/10/2007. They were arrested and continue in custody from that date.

2. The learned counsel for the petitioner prays for regular bail. The learned Public Prosecutor opposes the same.

3. In the wake of the opposition by the learned Public Prosecutor, regular bail can be granted to the petitioner only if this court is in a position to entertain the twin satisfactions under Section 37 of the N.D.P.S Act. I do not find any circumstances which can persuade this court to entertain either of those two satisfactions at the moment. I am satisfied that this petition deserves to be dismissed now.

4. In the result, this petition is dismissed. I may hasten to observe that the petitioner shall be at liberty to move this court or the learned Sessions Judge for bail at later stage of the

investigation, not at any rate, prior to 21/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007